

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

ALEXANDER SAMUEL also known as
GEORGE WASHINGTON LORD
PROTECTOR OF THE USA; JESUS CHRIST
HIGHEST LORD OF ORTHODOX CHURCH,

Plaintiff,

- against -

MR. MICHAEL R. BLOOMBERG, Mayor of
New York City, KGB-FSB-SVR spy of Russia,
et al.,

Defendants.

X

: NOT FOR PUBLICATION

: DECISION AND ORDER

: 13 Civ. 6027 (BMC)

X

COGAN, District Judge.

On October 25, 2013, plaintiff Alexander Samuel, appearing *pro se*, filed the instant action. The Court grants plaintiff's request to proceed *in forma pauperis* solely for the purpose of this Order and dismisses the complaint as set forth below.

Standard of Review

In reviewing plaintiff's complaint, the Court is mindful that "a *pro se* complaint, however inartfully pleaded, must be held to less stringent standards than formal pleadings drafted by lawyers." Erickson v. Pardus, 551 U.S. 89, 94 (2007) (internal quotation marks omitted). The Court is obliged to construe plaintiff's pleadings liberally and interpret them as raising the strongest arguments they suggest. Harris v. Mills, 572 F.3d 66, 72 (2d Cir. 2009). Nonetheless, the Court may dismiss a complaint "at any time" if the Court determines that it "(i) is frivolous or malicious; (ii) fails to state a claim on which relief may be granted; or (iii) seeks monetary

relief against a defendant who is immune from such relief.” 28 U.S.C. § 1915(e)(2)(B). An action is “frivolous” when either: (1) “the factual contentions are clearly baseless, such as when allegations are the product of delusion or fantasy;” or (2) “the claim is based on an indisputably meritless legal theory.” Livingston v. Adirondack Beverage Co., 141 F.3d 434, 437 (2d Cir. 1998) (internal quotation marks and citation omitted).

Discussion

The Supreme Court has observed that a “finding of factual frivolousness is appropriate when the facts alleged rise to the level of the irrational or the wholly incredible, whether or not there are judicially noticeable facts available to contradict them.” Denton v. Hernandez, 504 U.S. 25, 33 (1992); see also Neitzke v. Williams, 490 U.S. 319, 325 (1989). Plaintiff’s pleadings are irrational and incredible. Plaintiff’s allegations – even under the very liberal reading we accord *pro se* pleadings (and even if plaintiff himself believes them to be true) – can only be described as delusional and fantastic. See Denton, 504 U.S. at 33.

Plaintiff brings this action against 33 defendants, including President Obama, former President Clinton, Benjamin Netanyahu, Vladimir Putin and the Roman Catholic Church. Plaintiff alleges that defendants are part of a conspiracy to assassinate him in retaliation for voting against President Obama, for exposing a spy ring involving the Russian Government and for filing lawsuits in the United States District Court for the Southern District of New York. Since the complaint is devoid of any basis in law or fact, defects which cannot be cured by amendment, this frivolous action is dismissed. See Livingston, 141 F.3d at 437.

Furthermore, the Court takes judicial notice of plaintiff’s litigation history in the Southern District of New York where he is now barred from filing any new *in forma pauperis* action without first obtaining the Court’s permission. See Samuel v. Bloomberg, No. 11 Civ.

4609 (S.D.N.Y. Sept. 27, 2011); see also Samuel v. Bloomberg, No. 11 Civ. 1119 (S.D.N.Y. Apr. 22, 2011); Samuel v. Bloomberg, No. 10 Civ. 3267 (S.D.N.Y. Apr 19, 2010); Samuel v. Bellevue Hosp., No. 07 Civ. 6321 (S.D.N.Y. Aug. 22, 2008). Plaintiff is warned that this Court will also not tolerate the abuse of its resources and that he may be barred here as well if he continues to file frivolous *in forma pauperis* actions in this Court. See Lau v. Meddaugh, 229 F.3d 121, 123 (2d Cir. 2000); see also Hong Mai Sa v. Doe, 406 F.3d 155, 158 (2d Cir. 2005); 28 U.S.C. § 1651(a).

Conclusion

Accordingly, the complaint, filed *in forma pauperis*, is dismissed as frivolous pursuant to 28 U.S.C. § 1915(e)(2)(B). The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this Order would not be taken in good faith and therefore *in forma pauperis* status is denied for the purpose of an appeal. See Coppedge v. United States, 369 U.S. 438, 444-45 (1962).

SO ORDERED.

Digitally signed by
Brian M. Cogan

U.S.D.J.

Dated: Brooklyn, New York
October 31, 2013

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CIVIL JUDGMENT

13 Civ. 6027 (BMC)

X

Pursuant to the Court's Memorandum Decision and Order issued on October 31, 2013
dismissing this Complaint, it is

ORDERED, ADJUDGED AND DECREED: That this Complaint is hereby dismissed
pursuant to 28 U.S.C. § 1915(e)(2)(B)(i). The Court certifies pursuant to 28 U.S.C. § 1915(a)
that any appeal from the order would not be taken in good faith and therefore *in forma pauperis*
is denied for the purpose of any appeal.

U.S.D.J.

Dated: Brooklyn, New York
October 31, 2013